



STATE OF CALIFORNIA

STATE BOARD OF EQUALIZATION

STREET, MIC: 64
BOX 942879, SACRAMENTO, CALIFORNIA 94279-0001)

(916) 445-4982

May 12, 1993

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No. 93/26

TO COUNTY ASSESSORS:

REVENUE AND TAXATION CODE SECTION 74.5,
SEISMIC SAFETY NEW CONSTRUCTION EXCLUSION

This letter will alert you to the possibility of increased activity for applications for the exclusion from new construction due to seismic safety. The State of California Seismic Safety Commission has published two brochures which reference this exclusion and refer taxpayers to the county assessors' offices for additional information and claim forms. Apparently the Seismic Safety Commission has received complaints about assessors' offices being unfamiliar with this exclusion.

This exclusion was passed by the voters of California as Proposition 127 in the November 6, 1990 election. This was implemented by Chapter 8 of the Statutes of 1991 (Assembly Bill 43) which repealed and reenacted Section 74.5 of the Revenue and Taxation Code. Please see details in letter to assessors 91/26. For your information, we have enclosed a copy of the prescribed form, PT-64.

Two brochures, The Homeowner's Guide to Earthquake Safety and The Commercial Property Owner's Guide to Earthquake Safety, are available from the Seismic Safety Commission. The Commission's address and telephone number are:

Seismic Safety Commission
1900 K Street, Suite 100
Sacramento, CA 95814
(916) 323-4212

If you have any questions, please call our Real Property Technical Services Unit at (916) 445-4982.

Sincerely,

Verne Walton, Chief
Assessment Standards Division

VW:sk
Enclosure

CLAIM FOR SEISMIC SAFETY CONSTRUCTION EXCLUSION FROM ASSESSMENT

THIS FORM MUST BE FILED WITH THE ASSESSOR PRIOR TO, OR
WITHIN 30 DAYS OF, COMPLETION OF CONSTRUCTION.

Name _____
Street _____
City _____
State and Zip Code _____

FOR ASSESSOR'S USE ONLY

☐ Received _____
☐ Approved _____
☐ Denied _____
Reason for denial _____

PROPERTY DESCRIPTION

Parcel No.(s) _____

Address _____

STATEMENTS

1. As the owner of the property described herein, I completed, or will complete, construction on this property on _____, and therefore claim the construction exclusion from assessment provided by Section 74.5 of the California Revenue and Taxation Code.
2. I understand this exclusion from assessment is applicable only to seismic retrofitting improvements and improvements utilizing earthquake hazard mitigation technologies, to an existing building or structure and is not applicable to alterations, such as new plumbing, electrical, or other added finishing materials, made in addition to seismic-related work performed on an existing structure.
3. I further understand this exclusion from assessment does not encompass the exclusion provided by Revenue and Taxation Code Section 70(d) pertaining to the portion of reconstruction or improvement to a structure, constructed of unreinforced masonry bearing wall construction, necessary to comply with any local ordinance relating to seismic safety during the first 15 years following that reconstruction or improvement.
4. The property owner, primary contractor, civil engineer, or architect ☐ has ☐ has not certified to the building department those portions of the project that are seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies.

THIS EXCLUSION EXPIRES UPON CHANGE IN OWNERSHIP OF THE PROPERTY

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

SIGNATURE

DATE

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DAYTIME PHONE NUMBER

Only the owner or a co-owner of the above-described property (including a purchaser under contract of sale) or his legal representative may sign.

If you are buying this property under an unrecorded contract of sale and the assessor does not have a copy of the contract, you must attach a copy to the claim.

**CLAIM FOR SEISMIC SAFETY CONSTRUCTION
EXCLUSION FROM ASSESSMENT**

GENERAL INFORMATION

Section 74.5 of the California Revenue and Taxation Code excludes from assessment seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies, to an existing building or structure.

In order to receive the exclusion, the property owner shall notify the assessor prior to, or within 30 days of, completion of the project that he or she intends to claim the exclusion for seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies. All documents necessary to support the exclusion shall be filed by the property owner with the assessor on or before the following April 15.

For purposes of Section 74.5:

- (1) "Seismic retrofitting improvements" means retrofitting or reconstruction of an existing building or structure, to abate falling hazards from structural or nonstructural components of any building or structure including, but not limited to, parapets, appendages, cornices, hanging objects, and building cladding that pose serious danger. "Seismic retrofitting improvements" also means either structural strengthening or providing the means necessary to reduce seismic force levels that would otherwise be experienced by an existing building or structure during an earthquake, so as to significantly reduce hazards to life and safety while also providing for the substantially safe ingress and egress of building occupants during and immediately after an earthquake. "Seismic retrofitting improvements" shall not include alterations, such as new plumbing, electrical, or other added finishing materials, made in addition to seismic-related work performed on an existing structure.
- (2) "Improvements utilizing earthquake hazard mitigation technologies" means improvements, to existing buildings identified by a local government as being hazardous to life in the event of an earthquake, that utilize earthquake hazard mitigation technologies approved by the State Architect pursuant to Section 16102 of the Health and Safety Code.

This exclusion applies only to projects completed on or after January 1, 1991, and completed on or before July 1, 2000, and is not applicable to seismic safety reconstruction and improvements that qualify for the exclusion provided in subdivision (d) of Section 70.

The property owner, primary contractor, civil engineer, or architect shall certify to the building department those portions of the project that are seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies. Upon completion of the project, the building department shall report the value of those portions of the project that are seismic retrofitting improvements and improvements utilizing earthquake hazard mitigation technologies to the county assessor.